

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

SILVIA M. ALBERT, SP 2012-MA-003 Appl. under Sect(s). 8-917 of the Zoning Ordinance to permit modification to the limitation on keeping of animals. Located at 3334 Nevius St., Falls Church, 22041, on approx. 12,500 sq. ft. of land zoned R-3. Mason District. Tax Map 61-1 ((13)) 12. Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on April 18, 2012; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Silvia M. Albert, and is not transferable without further action of this Board, and is for the location indicated on the application, 3334 Nevius Street (12,500 square feet) and is not transferable to other land.
2. The applicant shall make this special permit property available for inspection to County officials during reasonable hours of the day.
3. This approval shall be for the applicant's existing five dogs. If any of these animals die, are sold or given away, they shall not be replaced, except that four dogs may be kept on the property in accordance with the Zoning Ordinance
4. The yard area where the dogs are kept shall be cleaned of dog waste every day, in a method which prevents odors from reaching adjacent properties, and in a method approved by the Health Department.

5. At no time shall the dogs be left outdoors unattended for continuous periods of longer than 30 minutes.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Byers seconded the motion, which carried by a vote of 5-0. Ms. Gibb and Mr. Smith were absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Suzanne Frazier", is written over a horizontal line.

Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals